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THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/614,524	MAR 1 2 2004 €
Filing Date	July 8, 2003	E. 19
First Named Inventor	Greta ARNAU	et al. PRADEMAR
Examiner Name		
Attorney Docket Number	021565-083	

	U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)	
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FOREIGN PATENT DOCUMENTS							
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ARK	Adang et al., "Characterized Full-Length and Truncated Plasmid Clones of the Crystal Protein of Bacillus thuringiensis subsp. Kurstaki HD-73 and Their Toxicity to Manduca sexta (1985) Gene 36, 289-300, Elsevier Science Publishers, Amsterdam, Holland			
	Bennetzen & Hall "Codon Selection in Yeast" (1982) J. Biol. Chem. 257, 3026-3031, American Society for Biochemistry and Molecular Biology, Baltimore, MD, USA			
	Bernhard, K. and Utz, R., "Production of <i>Bacillus thruingiensis</i> Insecticides for Experimental and Commercial Uses", In <i>Bacillus thuringiensis</i> , An Environmental Biopesticide: Theory and Practice, pp. 255-267, eds. Entwistle, P.F., Cory, J.S., Bailey, M.J. and Higgs, S. John Wiley and Sons, New York (1993)			
	Christensen et al., "Maize Polyubiquitin Genes: Structure, Thermal Perturbation of Expression and Transcript Splicing, and Promoter Activity Following Transfer to Protoplasts by Electroporation" (1992) Plant Mol. Biol. 18, 675-689, Kluwer Academic Publishers, Belgium			
	Cornejo et al., "Activity of a Maize Ubiquitin Promoter in Transgenic Rice",(1993) Plant Mol. Biol. 23, 567-581, Kluwer Academic Publishers, Belgium			
Anc	Crickmore et al., "Revision of the Nomenclature for the Bacillus thuringiensis Pesticidal Crystal Proteins", (1998) Microbiol. Mol. Biol Rev. 62(3), 807-813, American Society for Microbiology, Washington, D.C.			

Date Considered Examiner Examiner Signature

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/614,524	MAR 1 2 2004 8
Filing Date	July 8, 2003	E S
First Named Inventor	Greta ARNAU	Teta Cr
Examiner Name		MAUC
Attorney Docket Number	021565-083	

	NON-PATENT LITERATURE DOCUMENTS				
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				
tul	Datta S., Peterhans A., Datta K. and Potrykus I., "Genetically Engineered Fertile Indica-Rice Recovered from Protoplastics", Bio/Technology 8, 736-740 (1990), Nature Publishing, New York NY				
	Dulmage, H.T., "Production of Bacteria for Biological Control of Insects" in Biological Control in Crop Production, Ed. Paparizas, D.C., Osmun Publishers, Totowa, NJ, USA, pp. 129-141 (1981)				
	Finney, Probit Analysis, 3 rd Edition, Cambridge University Press (1971) table of contents only				
	Franck, Guilley, et al, "Nucleotide Sequence of Cauliflower Mosaic Virus DNA", Cell 21, 285-294 (1980), Cell Press, Cambridge, MA, USA				
	French, B.T., et al., G.G. "Screening cDNA Expression Libraries with Monoclonal and Polyclonal Antibodies Using an Amplified Biotin-Avidin-Peroxidase Technique" Anal. Biochem. 156, 417-423 (1986) Academic Press, Inc., London, UK				
	Fromm M., et al., "Inheritance and Expression of Chimeric Genes in the Progeny of Transgenic Maize Plants", Bio/Technology 8, 833-839 (1990), Nature Publishing, New York, NY				
	Gardner, Howarth, et al., "The Complete Nucleotide Sequence of an Infectious Clone of Cauliflower Mosaid Virus by M13mp7 Shotgun Sequencing", Nucleic Acids Research 9, 2871-2887 (1981) IRL Press Limited, Oxford, UK				
	Ge A., et al, ""Functional Domains of <i>Bacillus thuringiensis</i> Insecticidal Crystal Proteins" J. Biol. Chem. 266 17954-17958 (1991), American Society for Biochemistry and Molecular Biology, Washington, D.C.				
	Gielen, J., et al., "The Complete Nucleotide Sequence of the TL-DNA of the Agrobacterium tumefaciens Plasmid pTiAch5" J., EMBO J. 3, 835-845 (1984) IRL Press Limited, Oxford, England				
	Gordon-Kamm W. et al. "Transformation of Zea mays L. Using Agrobacterium tumefaciens and the Sho Apex" The Plant Cell 2, 603-618 (1990), American Society of Plant Physiologists, Rockville, MD				
	Gould, J., et al., "Transformation of Maize Cells and Regeneration of Fertile Transgenic Plants", Plant Physiol. 95, 426-434 (1991), American Society of Plant Physiologists, Rockville, MD				
	Ho et al., (1989) "Site-Directed Mutagenesis by Overlap Extension Using the Polymerase Chain Reaction", Gene 77, 51-59, Elsevier Science Publishers B.V., Amsterdam, Holland				
	Hofte, H., et al "Monoclonal Antibody Analysis and Insecticidal Spectrum of Three Types of Lepidopteran- Specific Insecticidal Crystal Proteins of <i>Bacillus thuringiensis</i> ", Applied and Environmental Microbiology 54, 2010-2017 (1988), American Society for Microbiology, Washington, D.C.				
	Hofte H. et al., "Insecticidal Crystal Proteins of <i>Bacillus thuringiensis</i> ", Microbiological Review 53, 242-255 (1989) American Society for Microbiology, Washington, D.C.				
	Hull and Howell, "Structure of the Cauliflower Mosaic Virus Genome", Virology 86, 482-493 (1987) Academic Press, Inc. London and New York				
.]	Ishida et al., (1996) ""High Efficiency Transformation of Maize (Zea mays L.) Mediated by Agrobacterium tumefaciens" Nature Biotechnology 14, 745-750, Nature America, New York				
	Itakura et al., "Expression in <i>Escherichia coli</i> of a Chemically Synthesized Gene for the Hormone Somatostatin" (1977) Science 198, 1056-1063, American Assn for the Advancement of Science, Washington, D.C.				
	Jansens et al. (1997) "Transgenic Corn Expressing a Cry9C Insecticidal Protein from <i>Bacillus</i> thuringiensis Protected from European Corn Borer Damage", Crop Science 37, 1616-1624, Crop Science Society of America, Madison Wisconsin				
	Last et al. (1990) "pEmu: an Improved Promoter for Gene Expression in Cereal Cells", Theor. Appl. Genet. 81, 581-588, Springer, Berlin and New York				
	Lereclus, D., et al., "Expansion of Insecticidal Host Range of <i>Bacillus thuringiensis</i> by <i>In vivo</i> Genetic Recombination", Bio/Technology 10, 418 (1992) Nature Publishing Co., New York				
	Mahillon et al., "Transformation of Bacillus thuringiensis by Electroporation", FEMS Microbiol. Letters 60, 205-210 (1989) Elsevier, Amsterdam, Holland				
ARK	Maxam, A.M. et al., "Sequencing End-Labeled DNA with Base-Specific Chemical Cleavages", Methods in Enzymol/ 65, 499-560 (1980), Academic Press, Inc., London, U.K.				
xaminer Signature	Date Considered 5/9/5				

Signature Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609/ Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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THIRD INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Application Number	10/614,524	MAR 1 2 2004
Filing Date	July 8, 2003	\\$
First Named Inventor	Greta ARNAUT	et all
Examiner Name		MADEMAN
Attorney Docket Number	021565-083	

	NON-PATENT LITERATURE DOCUMENTS
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
ARV	McBride et al., "Amplification of a Chimeric Bacillus Gene in Chloroplasts Leads to an Extraordinary Level
ME	of an Insecticidal Protein in Tobacco", 1995, Bio/Technology 13, 362, Nature Publishing Co., New York
1	Murray E. et al., ""Codon Usage in Plant Genes", Nucleic Acids Research 17(2), 477-498 (1989), Oxford Univ. Press, Oxford, England
	Sanger et al., "DNA Sequencing with Chain-Terminating Inhibitors", Proc. Natl. Sci. USA 74(12), 5463-5467 (1977), National Academy of Sciences, Washington, D.C.
	Schnepf et al., "The Amino Acid Sequence of a Crystal Protein from Bcillus thuringiensis Deduced from the
	DNA Base Sequence", (1985) Journal of Biological Chemistry 260, 6264, American Society of Biological Chemists, Inc., U.S.A.
	Schnepf et al., "Bacillus thuringiensis and its Pesticidal Crystal Proteins", Microgiology and Molecular Biology Reviews, Sept. 1998, vol. 62, no. 3,p. 775-806, American Society for Microbiology, Washington, D.C.
	Shimamoto K., et al., "Fertile Transgenic Rice Plants Regenerated from Transformed Protoplasts", Nature 338, 274-276 (1989), Nature Publishing Group, London, England
	Stanssens P. et al, "Efficient Oligonucleotide-Directed Construction of Mutations in Expression Vectors by the Gapped Duplex DNA method Using Alternating Selectable Markers", Nucleic Acids Research 12, 4441-4454 (1989), IRL Press, Oxford, England
	Vaeck M., et al., "Transgenic Plants Protected from Insect Attack", Nature, Vol. 328 (1987), pp. 33-37, Nature Publishing Group, London, England
	Vanderzant et al., "Rearing of the Bollworm on Artificial Diet", Journal of Economic Entomology, vol. 55, no. 1, (1962) pp. 140-141, Entomological Society of America, College Park, MD
	Van Rie et al., "Mechanism of Insect Resistance to the Microbial Insecticide Bacillus thuringiensis", Science 247, 72 (1990), American Assn for the Advancement of Science, Washington, D.C.
	Velten, J., et al., "Isolation of a Dual Plant Promoter Fragment from the Ti Plasmid of Agrobacterium tumefaciens", EMBO J. 3, 2723-2730 (1984), IRL Press Limited, Oxford, England
1	Velten, J. et al., "Selection-Expression Plasmid Vectors for Use in Genetic Transformation of Higher Plants", (1985), pp. 6981-6999, Nucleic Acids Research, IRL Press, Oxford, England
	Visser, B., et al., "Domain-Structure Studies of <i>Bacillus thuringiensis</i> Crystal Proteins: A Genetic Approach", in <i>Bacillus thuringiensis</i> , an Environmental Biopesticide: Theory and Practice, pp. 71-88, eds. Entwistle, P.F., Cory, J.S. Bailey, M.J. and Higgs, S., John Wiley and Sons, New York (1993)
	Wada et al., "codon Usage Tabulated from the GenBank Genetic Sequence Data", (1990) Nucl. Acids Res. 18, 2367-1411, Oxford University Press, Oxford, England
	White, Thomas J. et al., "The Polymerase Chain Reaction", TIG (1989), vol. 5, no. 6, pp. 185-189, Elsevier Science Publishers, UK
	Yannisch-Perron, C. et al., "Improved M13 Phage Cloning Vectors and Host Strains: Nucleotide Sequences of the M13mp18 and pUC19 Vectors", Gene 33, 103-119 (1985) Elsevier Science Publishers, UK
AN	Zhang et al., "analysis of Rice <i>Act1</i> 5' Region Activity in Transgenic Rice Plants" (1991) The Plant Cell 3, 1155-1165, American Society of Plant Physiologists, Rockville, MD.

Examiner Signature Date Considered Signature Considered 5/10/5
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. D/aw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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			U.S. PATENT DOCUMENTS		
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applican of Cited Document	lssu t	e/Publication Date M-DD-YYYY)
FR. 2 60/153,995		,	Baum et al.		-15-1999
	5,356,623		von Tersch et al.	10	-18-1994
	5,942,658		Donovan et al.		-24-1999
Au	6,150,589		Payne et al.	11	-21-2000
		A 1998 A 1814 NO. 1998	REIGN PÄTENT DOCUMENTS		
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No
ton	WO 01/19859		PCT	03-22-2001	
1	WO 96/05314		PCT	02-22-1996	
	EP 1 099 760	A1	EPO	05-16-2001	
M	EP 0 401 979	B1	EPO	09-04-1996	
		NON PA	ATENT LITERATURE DOCUMENTS		
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	6		U.S. PATENT DOCUMENTS				
	U.S. Patent Document						
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	Foreign Patent						
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WE	WO 95/04146		PCT	02-09-1995	103	- '''	
11	WO 99/33991		PCT	07-08-1999			
	EP 0589110		EP	03-30-1994			
pre	WO 99/00407		PCT	01-07-1999			
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ARIC							
7	Accession No. X54160, 5 October 1990, PEFEROEN: "Bacillus Thuringiensis CryID Gene for Insecticidal Crystal Protein (Lepidoptera Specific)", abstract						
	Accession No. AF093107, 8 October 1998, WASANO et al.: "Bacillus Thuringiensis Delta-Endotoxin Gene, Partial cds", abstract						
	Accession No. X75019, 23 December 1993, SHEVELEV et al.: "B Thuringiensis crylX Gene for Delta-Endotoxin", abstract						
ADK	CRICKMORE et al.: "Revision of the Nomenclature for the Bacillus Thuringiensis Pesticidal Crystal Proteins", MICROBIOL. MOL. BIOL. REV, vol. 62, no. 3, (1998), pp. 807-813						
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